

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION**

Master File No. 07-5944 SC

MDL No. 1917

This Document Relates to:

Sharp Elecs. Corp. v. Hitachi, Ltd., No. 13-cv-01173;

Electrograph Systems, Inc. et al. v. Technicolor SA, et al., No. 13-cv-05724;

Siegel v. Technicolor SA, et al., No. 13-cv-05261;

Best Buy Co., Inc. v. Technicolor SA, et al., No. 13-cv-05264;

Interbond Corporation of America v. Technicolor SA, et al., No. 13-cv-05727;

Office Depot, Inc. v. Technicolor SA, et al., No. 13-cv-05726;

Costco Wholesale Corporation v. Technicolor SA, et al., No. 13-cv-05723;

P.C. Richard & Son Long Island Corporation, et al. v. Technicolor SA, et al., No. 13-cv-05725

Schultze Agency Services, LLC, o/b/o Tweeter Opco, LLC, et al. v. Technicolor SA, Ltd., et al., No. 13-cv-05668;

Sears, Roebuck and Co. and Kmart Corp. v. Technicolor SA, No. 3:13-cv-05262;

Target Corp. v. Technicolor SA, et al., No. 13-cv-05686;

Tech Data Corp., et al. v. Hitachi, Ltd., et al., No. 13-cv-00157;

Viewsonic Corp. v. Chunghwa Picture Tubes, Ltd., No. 14-cv-02510.

DECLARATION OF BRIAN M. GILLET IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION TO SEAL PORTIONS OF THEIR RULE 56(d) SUPPLEMENT TO OPPOSITION TO DEFENDANT THOMSON CONSUMER'S MOTION FOR SUMMARY JUDGMENT AND PARTIAL SUMMARY JUDGMENT PURSUANT TO CIVIL LOCAL RULES 7-11 AND 79-5(d)

The Honorable Samuel Conti

DECLARATION IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL

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3538492v1/012325

1 I, Brian M. Gillett hereby declare as follows:

2 1. I am attorney and counsel for plaintiff Alfred H. Siegel, solely in his capacity as
3 Trustee of the Circuit City Stores, Inc. Liquidating Trust.

4 2. I submit this declaration in support of Plaintiffs' Administrative Motion to Seal
5 Portions of their Rule 56(d) Supplement to Opposition to Thomson Consumer's Motion for Summary
6 Judgment and Partial Summary Judgment pursuant to Civil Local Rules 7-11 and 79-5(d).

7 3. Portions of Plaintiffs' Opposition contain excerpts from and/or statements derived from
8 documents and testimony which have been designated "confidential" or "highly confidential" pursuant
9 to the Stipulated Protective Order governing this litigation [D.E. 306, June 18, 2008], ("Stipulated
10 Protective Order"). The confidential/highly confidential designations were made by certain
11 defendants in this litigation. To qualify as confidential or highly confidential under the Stipulated
12 Protective Order, information must contain trade secrets or other confidential research, development,
13 or commercial information or private or commercially sensitive information. Stipulated Protective
14 Order ¶ 1.

15 4. The Stipulated Protective Order requires that a party may not file any confidential
16 material in the public record. Stipulated Protective Order ¶ 10. The Stipulated Protective Order
17 further provides that any party seeking to file any confidential material under seal must comply with
18 Civil Local Rule 79-5. Stipulated Protective Order at ¶¶ 1, 10.

19 5. The highlighted portions of Plaintiffs' Opposition contain such material. The following
20 exhibits also contain material that certain defendants have designated as confidential or highly
21 confidential and, pursuant to Local Rule 79-5(e), Plaintiffs seek to submit this material under seal in
22 good faith in order to comply with the Stipulated Protective Order and the applicable Local Rules:
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1 Exhibit 47, Exhibit 48, Exhibit 49, Exhibit 50, Exhibit 51, Exhibit 52, Exhibit 53, Exhibit 54, Exhibit
2 55, Exhibit 56, Exhibit 57, Exhibit 58, Exhibit 59, Exhibit 60.

3 6. Therefore, Plaintiffs respectfully request an order sealing portions of Plaintiffs'
4 Opposition and the exhibits identified above.
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6 I declare under penalty of perjury that the foregoing is true and correct.
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8 Executed on this 2nd day of February, 2015 at Houston, Texas.
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10 /s/ Brian M. Gillett
11 Brian M. Gillett
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